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COMMUNICATIONS.

GREATER CHICAGO.

The governmental situation in Chicago and the environing Cook County is so complex, and the hands of the legislature are so completely tied by the state constitution, adopted in 1870, that present conditions seem at once intolerable and incapable of amendment. To get any adequate idea of things as they are to-day, one must recall the fact that Illinois was almost a frontier state when the present constitution (the first important permanent result of the Granger movement) came into force. The sole object of the framers of that instrument seems to have been to tie the hands of everybody; and this aim appears to have been successfully carried out.

The constitution prohibits special legislation in regard to cities, towns, villages and townships. It contains specific provisions touching county areas, organization and boundaries which make it extremely difficult, if not impossible, to change the county limits in the vicinity of Chicago. Finally, by prohibiting amendments to more than one article at a time, and requiring that a majority of all the votes cast at the election, and not merely all those cast on the amendment, shall be necessary to its adoption, it virtually prevents the adoption of any amendment which is not of the widest territorial interest. Moreover, all amendments to the constitution and the order for calling a constitutional convention to draft a new constitution must first pass the legislature by a two-thirds vote in each house before being submitted to popular vote. The members of the legislature coming in large majority from the country districts, cannot be expected to take any interest in remedying metropolitan evils of whose very existence they are unconscious, and from which, too, their respective constituents are not suffering.

The difficulties in the way of getting any constitutional relief for the local ills of Chicago and Cook County have so far proved insuperable. An attempt to call a constitutional convention a few years ago was met by the almost united vested interests of Chicago with the statement that, though admitting the need of amendments, such interests would rather bear the present evils than trust themselves to the untested radical sentiment which might gain control of a constitutional convention.

That no satisfactory reorganization of the governments in Cook County can take place without a constitutional amendment is gener-

ally recognized by those familiar with the situation, and is also demonstrated by the failure of attempts at reform through mere changes of statutes during the last decade. Many acts tinkering the system have been passed for the special relief of Chicago, usually under the guise of classification—a device to which no reference is made in the text of the constitution. Many of these acts have been declared wholly or partly unconstitutional. Many others have not yet been passed upon by the courts. Often these acts appear so mutually contradictory as to cause hesitancy and confusion in the attempt to administer them. In so complex a statutory condition as prevails there can be no general assumption that an act will stand until it has actually been passed upon by the courts.

One can scarcely make any significant statement about the legislation or administration existing here which is not subject to doubt or important exception. I shall not attempt, therefore, in this brief notice, to do more than point out a few of the complexities and difficulties, treating them on the broadest possible lines. When the present constitution was adopted, township organization was retained within the limits of Chicago. At that time the city was a mere overgrown village, with a population of about 300,000. It has now, through annexations of territory and the growth of population, become a great metropolis—one of the greatest railroad centres in the world, as well as one of the largest centres for shipment by water. The population (now from five to six times that of 1870) is probably the most mixed of all the great cities of ancient or modern times. and the city offers governmental problems commensurate with its population, wealth and rapid growth. The legal machinery for governing this great conglomeration is not essentially different from that for the Chicago of thirty years ago, for not only did the constitution retain township organization, and the county government (with a county board it is true, somewhat different from those in the other counties of the state), but, also, the three previously established park systems, each under a separate board of commissioners, getting their appointment from different sources, but in no case appointed by or in any way connected with any part of the city government. With the growth of Chicago territory and population the jurisdiction of the park boards has not been correspondingly extended. Consequently, while the city has three independent park boards, each with its own taxing power and a maximum legal tax rate, large parts of the territory of Chicago do not lie in any park district and are entirely free from taxation for park and boulevard purposes.

To add to the already dense confusion, a few years ago, when the question of an improved sewage system had to be met, an entirely

new corporation, the sanitary (or drainage) district, was created and given a territorial jurisdiction with no relation whatever to any previously existing areas. This district, so far as taxation is concerned, lies wholly within Cook County, but does not include all of the territory within the limits of the City of Chicago on any one of its land-bounded sides, though it does include parts of several townships lying wholly or partly outside of the city. The revenue act of 1898 made the local tax assessors, in a sense, subordinate to the new county taxing authorities created by that act, but did not abolish the local assessors throughout the county. It still remains true that property in Chicago may be subject to separate rates of taxation determined by independent or semi-independent bodies each answerable to the statutes alone and acting independently of all others. These authorities are: The state, the county, the city, the school board, the public library board, the park boards (three in number), the townships (seven lying wholly and three more partly within the city's limits), and the drainage board, which has in the last decade spent more than \$30,000,000. These various taxing bodies, nearly a score in number, expending a total of more than \$30,000,000 a year, are equally independent or semi-independent in their expenditure and general administrative work. They speculate, they waste, they quarrel, they fight, and they constantly appeal to the legislature and the courts. It must be apparent to any disinterested observer that no body of men, however wise or good, could administer such a chaos with honesty and efficiency. The very lack of system invites inefficiency and corruption. It is not strange, therefore, that public administration in Chicago is not up even to the grade of that of other large American cities.

Apart from the ten townships wholly or partly within the limits of Chicago, there are twenty-three other townships outside of Chicago in Cook County. Two of these, Cicero, lying immediately west of Chicago, and Wheeling, have special charters granted before 1870. These resemble rather closely the present form of village corporation, although the towns of Cicero and Wheeling have much rural territory and several considerable aggregations of population (one of which, Oak Park, is perhaps the second most important immediate suburb of Chicago). The most important territory outside of Chicago is the incorporated City of Evanston (population 20,000) immediately adjoining Chicago on the north. The City of Evanston lies in the two townships of Evanston and New Trier, and Niles, while part of the township of Evanston is within the limits of Chicago. The township of Thornton contains the City of Harvey, together with all of four and part of another incorporated village. There are altogether

more than fifty incorporated villages in Cook County, many of which extend into two or more townships, and several go beyond the boundaries of Cook County.

What Chicago wants and what she would have if her own interests alone were consulted, is a constitutional amendment permitting her to annex the more densely populated suburbs and some of the less densely populated, needed for park purposes and the preservation of streams, and then to consolidate all the functions of government, such as those of townships, county, park and so on, with the possible exception of those of the drainage district, in the hands of a single government, that of the city. This would probably take into the consolidated city and county of Chicago, all of Evanston on the north (on the ground that it is essentially metropolitan in character and must come into the drainage district soon, to prevent the pollution of the water supply), all of Cicero, a part or all of Proviso and the tier of townships, Leyden, Riverside and Norwood Park, lying due north of Cicero and Proviso. This whole group of townships is desired because part of it is metropolitan in character and all of it lies along the Des Plaines River, the water of which it is proposed to use in connection with the drainage canal. It is also a part of the scheme to lay out a great metropolitan park system along this water course. It is probable that this territory on both the north and west will be forced into the drainage district in the near future, and Chicago regards this district as in a peculiar sense her own. But the City of Evanston and the country townships, with the possible exception of Cicero, are strenuously opposed to annexation to Chicago.

The Civic Federation, which is leading the movement for reform in Chicago, regards the abolition of county and township government within Chicago, whatever the limits of the city may be, as a prerequisite to serious and thorough-going reform. But as already indicated, this requires changes in the constitution. So long as the country districts in Cook County are so vigorously opposed to annexation and the sentiment against Chicago in the remaining portions of the state remain unchanged, such constitutional amendment is impossible. For at present the country townships fear that however carefully such amendment might, on the face of it, protect their interests, nevertheless to yield anything might open the way in some manner not foreseen for annexation to Chicago, or at least create sentiment that would make it easier to open the way for such action in the future. Although the present statutes affecting the question of annexation are very much involved, it is supposed that under them no annexations can be made without the consent of a majority of all the legal voters in each of the territories affected by the proposed annexation.

Generally speaking, the townships outside of Chicago as far as their respective local affairs are concerned, are satisfied with the present condition and believe that they can prevent legislation changing that condition. They have so far refused to recognize any obligation to obtain or permit relief for Chicago, and may properly be said to be playing dog in the manger. These townships carried this policy so far as to form last July a permanent federation of all the country districts in Cook County (known as the County Town Federation of Cook County) to defend their interests against the supposed aggressions of Chicago. This federation holds regular monthly meetings, and, so far, the delegates to it have shown no inclination to acknowledge any obligations arising from their citizenship in Cook County or in Illinois, to bring about a better condition of affairs in Chicago.

The result of this opposition by the country townships has been to change the tone and attitude of the Civic Federation on the whole question. The Greater Chicago scheme, as launched about two years ago, apparently involved simply the annexing of such territory as the interests of Chicago seemed to require. When the storm of opposition against this began to gather the Civic Federation put forth a modified scheme involving annexations, under a borough scheme of government, by means of which it was claimed that local autonomy in local affairs, so much prized by the country districts, could be preserved to them, while the things of general and larger interest could be attended to by the proposed Greater Chicago. This seemed to meet with favor for a time, but the fear of once opening the gates to annexation under any form again arose in the minds of those living outside Chicago, and, consequently, there has been a decided reaction against this proposition also. As a consequence of this turn of affairs the Civic Federation has apparently given up the idea of trying to put through the Greater Chicago scheme, with the borough attachment, without the consent of the country districts, and is now urging co-operation on the basis of the larger citizenship, duty, and civic interest plea, hoping all the time to make the country districts see their duty from the standpoint of the larger interests of Chicago. The Civic Federation still insists that measures can be so drawn as to protect in a satisfactory manner the interests of the minority, while giving much needed relief to the majority in Chicago.¹

Meantime that organization is pushing such minor reforms as can be

¹ CONSTITUTIONAL AMENDMENT PROPOSED BY THE CITIZENS' CONSOLIDATION COMMITTEE OF THE CIVIC FEDERATION OF CHICAGO.

RESOLVED, by the House of Representatives of the State of Illinois, the Senate concurring herein, that there shall be submitted to the voters of this State at the next election for members of the General Assembly a proposition to so amend the

obtained by the tinkering process without arousing the opposition of the outside districts. At the last session of the legislature, for instance, since it is constitutionally impossible to abolish the townships in Chicago and retain township organization in the rest of the county, the Civic Federation obtained the passage of a bill in the *form* of a general act providing for the consolidation of all the townships and fractional townships in Chicago into a single township. The title¹

seventh section of the tenth Article of the Constitution of this State, that the same shall read as follows :

The General Assembly may provide for the consolidation of city and county functions within the present limits of the City of Chicago, but no act for such purpose shall take effect until submitted to the vote of the electors of said county at a separate election to be held therefor, and ratified by a majority of the legal voters of said city voting thereon, and also by a like majority of the legal voters of that portion of said county outside of said city. In case of such consolidation of city and county functions within the limits of the City of Chicago the debt of said Cook County existing at the time of such consolidation shall be paid by the said City of Chicago, and the territory remaining outside of said city limits shall be exempt from all liability therefor, and all buildings and property of said former County of Cook shall belong to and be the property of said City of Chicago; and the territory included in the then or future limits of said city shall be known for all county purposes as the County of Chicago.

The General Assembly may provide for subordinate local government by districts within the present or future limits of said city; also for local control of schools, police, fire protection, libraries, public lighting, improvement of streets, sidewalks, parks, sewers and water works, in any territory hereafter added to said city.

The authorities of said city shall have no power to license the sale of intoxicating liquors in any district wherein such sales are prohibited at the time of the adoption of this amendment.

Upon the adoption of any act for consolidation of city and county functions in the limits of said city, all the provisions of this constitution relating to Cook County shall be deemed to apply to said County of Chicago. Upon the adoption of such act as to the territory of said County of Cook remaining outside of said city limits, the General Assembly shall provide for the establishment of courts and county government in such territory as in case of new counties, but not more than two counties shall be formed from such territory. Until otherwise provided the affairs of said County of Cook shall be managed as now provided by law; but the functions heretofore exercised by township officers in said city shall be performed by the City Council.

The General Assembly may provide for abolishing the office of justice of the peace within the County of Cook or said County of Chicago when established, and for the substitution of local or district courts in lieu thereof, with such jurisdiction not exceeding that of the circuit court, as may be deemed advisable; and may provide for the election or appointment of constables therein. (Printed January 29, 1901.)

¹ The full title is as follows: "An Act to provide for consolidation of the territory of cities in counties under township organization having five or more congressional townships and fractional parts of congressional townships into one township, and to provide for a board of auditors of said township and locate the place where the justices of the peace shall have their offices."

of this act, approved April 24, 1899, shows to what lengths we have to go in our efforts to avoid the prohibition of special legislation under our present constitution. The validity of this particular classification may well be doubted until it is accepted by the supreme court. That the Civic Federation itself doubts the validity of this Act is shown by the fact that it has just had introduced (February, 1901) a bill to accomplish the same purpose by retaining all the townships, but transferring most of the powers of the townships to the City Council. While the consolidation of the townships in Chicago under this act would apparently include in the consolidation the portions of the three townships (Evanston, Norwood Park and Calumet) lying within the City of Chicago, it is not probable that serious opposition would be made by the remaining portions of these townships. Bills are also drafting to consolidate all the territory of Chicago into a single park district under one park board. Unless an attempt should be made to include in such districts territory outside Chicago (such as the Des Plaines river territory referred to above), this is not likely to arouse any special interest outside of Chicago. But already the cry of local self-government has gone up from the people living in the vicinity of each of the great Chicago parks, and even this bill is likely on that account to have hard sledding before the winter is over. It is not at all impossible that under the same slogan the country townships may make an effort to have the revenue act of 1898 repealed, as that act makes their assessors subject to the county board of assessors.

The only real club that Chicago can at present use against the country districts is a threat of abolishing all township government throughout the whole county and placing the affairs now managed by the respective townships in the hands of the county board. This can be done by a majority vote of all the voters in the county regarded as a unit. Chicago can, therefore, accomplish this at her will, as the percentage of the total vote in the county to be found outside the limits of Chicago is relatively insignificant. Such action would practically, from the standpoint of the country townships, amount to annexation to Chicago, for it would deprive these townships of all of their local self-government and place their affairs in the hands of a board of county commissioners, who, under the present constitution and laws, are elected two-thirds from and by the City of Chicago, whose offices are in Chicago, and who are, in fact, entirely dominated by Chicago politicians. Two obstacles prevent the carrying out of such a policy. First, it would not give Chicago any relief, but make her condition worse by strengthening the hands of the county government, which Chicago is especially desirous of getting rid of. In the next place, it would not transfer the local government powers of the

cities of Evanston and Harvey to the county board and would likely block the way for the annexation of Evanston to Chicago for years to come. The transferring of the governmental powers of the township of Evanston to the county board would be a matter of comparatively little moment except to a few present and possible future township officials, who live from the small township treasury. The City of Evanston is decidedly an element to be reckoned with in the whole matter.

One of the most regrettable features in the present situation is the lack of any apparent recognition on the part of the country districts of what seems to me the serious duty of making such reasonable sacrifice, short of self-annihilation, as promises to improve the government of Chicago. I venture to doubt also if the American sense of justice and fair play will forever permit the interests, real or supposed, of a hundred thousand people, more or less, in the country portions of Cook County to prevent nearly two millions in Chicago from obtaining a form of government in some slight measure adapted to their needs. Should the population of Chicago increase as rapidly in the near future as it has done in the past, and should future apportionments give to Chicago anything like her proportionate share of representation in the legislature; above all, should the conditions become so bad in Chicago as to make the large property interests there prefer, with any degree of unanimity, a reformed government to that now existing, the people of Chicago will be enabled to effect such a change in the sentiment throughout the state as to obtain what they want without even consulting the special interests of the outside districts of the present Cook County. Before this time comes it is to be hoped that a broader patriotism will lead the country districts to withdraw their opposition and unite in favoring a Greater Chicago which will embrace that territory properly belonging to the metropolis and leave undisturbed Evanston and other outlying centres of population with independent civic life.

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THE JUVENILE COURT OF CHICAGO AND ITS WORK.

Nothing is more indicative of the change which the modern scientific study of pauperism and crime is causing than the increased attention paid to children. It is now clearly seen that it is worse than folly to allow a child to grow up in ignorance of the *raison d'être* of social customs, and to attempt then to remedy matters by repressive and punitive measures. There is a clearer apprehension of the wonderful susceptibility of the child to impressions of all sorts and a